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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TYRONE A. PENNIX,

Plaintiff,

v.

IAP WORLD SERVICES,

Defendant.

Case No. CV 12-03520 LHK

**STIPULATION REGARDING DISMISSAL
OF PLAINTIFF'S STATE LAW CLAIMS
AND [PROPOSED] ORDER**

Action Filed: July 6, 2012

Plaintiff Tyrone Pennix ("Pennix") and Defendant IAP Worldwide Services, Inc. ("IAP"),
by and through undersigned counsel, hereby stipulate that each and every state law claim brought
by Pennix in this action be dismissed with prejudice. Such dismissal is premised on preemption of
such state law claims under the federal enclave doctrine. Accordingly, Pennix and IAP stipulate
and request that the Court dismiss Pennix's second, fourth, sixth, seventh and tenth claims for
relief, with prejudice.

1 Such dismissal shall have no effect on or in any way prejudice Pennix's remaining causes
2 of action, namely the first, third, fifth, eighth, and ninth claims for relief brought in Pennix's
3 Complaint.

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5 DATED: January 30, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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8 By: /s/ ERICA K. ROCUSH

9 Erica K. Rocush
Krystal N. LoPilato

10 Attorneys for Defendant
11 IAP Worldwide Services, Inc. (erroneously sued
12 herein as "IAP World Services")

13 DATED: January 30, 2013

LAW OFFICES OF JOSEPH L. ALIOTO AND
ANGELA ALIOTO

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16 By: /s/ STEVEN L. ROBINSON

17 Angela Alioto
Steven L. Robinson

18 Attorneys for Plaintiff Tyrone Pennix
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[PROPOSED] ORDER

Pursuant to the Stipulation Regarding Dismissal of Plaintiff’s State Law Claims, and good cause appearing therefore, the Court hereby orders that:

Plaintiff’s second, fourth, sixth, seventh, and tenth claims for relief are hereby dismissed with prejudice. Such dismissal shall have no effect on and be without prejudice to Plaintiff’s first, third, fifth, eighth and ninth claims for relief.

Dated: February 5, 2013



HONORABLE LUCY H. KOH
UNITED STATES DISTRICT JUDGE

14106227.1 (OGLETREE)